



**Wednesday, December 21, 2016
Minutes of the Regular Meeting of the
Joint City Council/Redevelopment Successor Agency**

CALL TO ORDER

A Regular Meeting of the South Pasadena Joint City Council/Redevelopment Successor Agency was called to order by Mayor Mahmud on Wednesday, December 21, 2016, at 7:35 p.m., in the Amedee O. "Dick" Richards, Jr., Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

Present: Councilmembers/Redevelopment Successor Agency Members Joe, Khubesrian, and Schneider; Mayor Pro Tem/Agency Vice Chair Cacciotti; and Mayor/Agency Chair Mahmud.

Absent: None.

City Staff

Present: Sergio Gonzalez, City Manager/Agency Executive Director; Teresa L. Highsmith, City Attorney/Agency Counsel; Evelyn G. Zneimer, City Clerk/Agency Secretary; Anthony J. Mejia, Chief City Clerk/Chief Agency Secretary were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

INVOCATION

Mayor Mahmud gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Mahmud led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS**1. Closed Session Announcements**

The Regular Closed Session of the City Council of December 21, 2016, was called to order by Mayor Mahmud at 6:30 p.m.

The meeting convened into Closed Session to discuss the following items as listed on the Closed Session Regular Meeting Agenda:

A. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Pursuant to Government Code Section 54956.9 (d)(4):

Number of Cases: 1

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to Government Code Section 54956.8

Properties: 1500 El Centro Street (5315-003-901) and easement known as “Edison Lane” (No APN)

Agency Negotiators: City Manager Sergio Gonzalez; City Attorney Teresa L. Highsmith
Negotiating Party: Citizens Business Bank

Under Negotiation: Price and Terms of Payment

City Attorney Highsmith reported that the City Council was provided an informational briefing regarding Closed Session Item A, but did not take any reportable action; noted that the City Council did not discuss Closed Session Item B.

PRESENTATIONS

2. Presentation of Certificates of Appreciation to Outgoing City Commissioners

Mayor Mahmud presented Certificates of Appreciation to the following outgoing City of South Pasadena Commissioners:

- Dan Evans, Freeway and Transportation Commission
- Edward Pearson, Library Board of Trustees
- J. Michael Gin, Parks and Recreation Commission
- Dr. Harry Lieberman, Public Safety Commission

Mayor Mahmud noted that James McLane, Cultural Heritage Commission, could not attend tonight's meeting.

COMMISSION APPOINTMENT

3. Public Safety Commission Appointment

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to appoint Grace Liu Kung to the Public Safety Commission for a partial term ending December 31, 2018.

ELECTION OF OFFICERS**4. Mayor's Year End Review Presentation**

Mayor Mahmud presented a PowerPoint presentation highlighting the 2015-16 Mayoral term and provided a summary of the State of the City Address; expressed gratitude to the City Council, City Manager Gonzalez and staff for a successful year.

5. Election of Mayor and Mayor Pro Tem for the 2016-2017 Term

(Officers also serve as Redevelopment Successor Agency Chair and Vice Chair; Public Financing Authority Chair and Vice Chair; and Housing Authority Chair and Vice Chair)

Mayor Mahmud announced the election of the Mayor and requested nominations. Councilmember Joe nominated Mayor Pro Tem Cacciotti as Mayor. Mayor Pro Tem Cacciotti accepted the nomination. Councilmember Khubesrian moved that nominations be closed. MOTION BY COUNCILMEMBER JOE, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to elect Michael A. Cacciotti to the Office of Mayor.

Mayor Cacciotti announced the election of Mayor Pro Tem and requested nominations. Councilmember Khubesrian nominated Councilmember Schneider as Mayor Pro Tem. Councilmember Schneider accepted the nomination. Councilmember Mahmud moved that nominations be closed. MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to elect Richard D. Schneider, M.D., to the Office of Mayor Pro Tem.

6. Presentation to Outgoing Mayor Diana Mahmud by Incoming Mayor

Mayor Cacciotti presented outgoing Mayor Mahmud with a gavel plaque and a gift certificate on behalf of the City Council. The City Council expressed gratitude to outgoing Mayor Mahmud for her service.

7. Comments by Incoming Mayor

Mayor Cacciotti thanked the City Council and community for their support; expressed gratitude to community volunteers, noting that their impacts are long lasting; commended the City Council for its forward-thinking in addressing major infrastructure needs.

8. Recess to Reception

A recess for refreshments and cake was taken in honor of outgoing Mayor Mahmud.

COMMUNICATIONS

9. Councilmembers Communications

Mayor Pro Tem Schneider announced a new movie entitled “A Rose for Christmas” which features the 2016 South Pasadena Tournament of Roses’ float will air on PBS channel on January 1, 2017.

Councilmember Joe displayed photos of the annual Breakfast with Santa event held on December 10, 2016, at the War Memorial Building; thanked the Community Services Department and Youth Commission for hosting the event; commended South Pasadena Police Chief Miller and the South Pasadena Police Officers Association for sponsoring the Senior Citizens Holiday and Christmas Celebration luncheon, noting that over 180 senior citizens attended the event.

Councilmember Khubesrian spoke on the success of the Senior Citizens Holiday and Christmas Celebration luncheon; reported on her attendance at the Strategic Planning Session for the Los Angeles County Division of the League of California Cities, noting that their goals will focus on addressing homelessness, workforce housing, critical infrastructure, and public safety.

Councilmember Mahmud advised that representatives of the cities of Glendora, Monrovia, and South Pasadena met with the Main San Gabriel Watermaster to discuss a proposed surcharge for supplemental water; urged residents to conserve water and to refrain from irrigation following rainfall.

Mayor Cacciotti reported on his activities in various San Gabriel Valley communities to encourage public officials to support South Pasadena’s positions on transportation and environmental issues; encouraged residents to support the South Pasadena Tournament of Roses Committee’s annual Crunch Time Party on December 29, 2016, at the War Memorial Building.

10. City Manager Communications

City Manager Gonzalez provided an update regarding the backyard encampment on Windsor Place, noting that various City Departments including Police, Planning and Building, and the City Attorney are working with the property owner and neighbors to address the situation.

11. Reordering of and Additions to the Agenda

Councilmember Schneider requested that Item Nos. 22 and 23 be considered immediately after the Consent Calendar, seconded by Councilmember Khubesrian.

PUBLIC COMMENTS

Al Benzoni, South Pasadena resident, voiced concerns related to late night loading/unloading of commercial trucks and other noise from commercial activities; urged the City Council to enact regulations to restrict late night commercial noise.

Councilmember Mahmud noted that the YMCA opens at 5:00 a.m. due to a grandfathered status and requested that City staff provide a legal analysis regarding the City's ability to regulate its operating hours.

Mayor Cacciotti requested that the City Manager evaluate the possibility of regulating late night noise derived from commercial activities, such as loading/unloading of commercial trucks, seconded by Councilmember Mahmud.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to approve the Consent Calendar Item Nos. 12, 13, 14, and 15; with Item No. 16 pulled for separate discussion.

12. Prepaid Warrants, General City Warrants, Redevelopment Successor Agency Check Summary, and Payroll

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to approve the City of South Pasadena Prepaid Warrants Nos. 196354 through 196401 in the amount of \$503,920.05; General City Warrants Nos. 196402 through 196564 in the amount of \$1,267,245.93 and Payroll dated December 16, 2016, in the amount of \$460,972.13.

13. Monthly Investment Reports for October 2016

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to receive and file the Monthly Investment Reports for October 2016 for the City Council.

14. Award of Construction Contract to Cerco Engineering for the Construction of the Library Park Drainage Improvement Project

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to:

1. Accept a bid dated November 22, 2016, from Cerco Engineering for the construction of the Library Park Drainage Improvement Project (Project) and authorize the City Manager to enter into a contract with Cerco Engineering for an amount not-to-exceed \$320,888.
2. Approve an appropriation in the amount of \$353,000 (contract amount plus ten percent contingency) from General Fund Library Park Drainage Designated Reserve into Account No. 101-9000-9324-9324.
3. Reject all other bids received.

15. Approval of a Mills Act Contract for Property Located at 207 Oaklawn Avenue

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to approve a Mills Act contract for property located at 207 Oaklawn Avenue.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**16. Receive and File of Organics Recycling Program Information for Compliance with Assembly Bill 1826**

City Manager Gonzalez presented the staff report, noting that City staff will return with a proposed ordinance to enact enforcement provisions related to the Organics Recycling Program; responded to City Council inquiries.

Johnny Perkins, Executive Vice President for Athens Services, advised that Athens Services has identified and notified all businesses required to comply with the Organics Recycling Program.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to receive and file Organics Recycling Program information, as required under Assembly Bill 1826.

ACTION/DISCUSSION**22. Status Report Regarding the November 2016 Presidential Election**

Chief City Clerk Mejia presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened the Public Comment period.

Sam Burgess, South Pasadena resident, pointed out that the percentage results for U.S. Senator are transposed; suggested that future reports include the voter turnout results for the State of California and Los Angeles County.

There being no others desiring to speak on this item, Mayor Cacciotti closed the Public Comment period.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to receive and file a status report regarding the November 2016 Presidential Election.

23. Consideration of Adoption of a Resolution Affirming the City's Commitment to be a Welcoming, Inclusive, and Safe Community

Chief City Clerk Mejia presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened the Public Comment period.

David Beadle, South Pasadena resident, voiced concern related to the President-elect and his cabinet appointments; urged the community to take action to defend the ideas of decency and humanity; expressed concern regarding the possibility of a Muslim registry and internment camps; invited the community to join the South Pasadena Democratic Club.

There being no others desiring to speak on this item, Mayor Cacciotti closed the Public Comment period.

Councilmember Mahmud suggested that the resolution title be modified to state "affirming" rather than "re-affirming," noting that the City Council has not previously adopted a similar resolution.

Councilmember Khubesrian thanked the community for expressing their concerns, noting that the election results demonstrate the preferences of South Pasadena residents; opined that South Pasadena residents are concerned over the rhetoric and negativity of the President-elect's campaign.

At the request of the City Council, Chief City Clerk Mejia read the resolution in its entirety.

City Manager Gonzalez advised that City staff will publicize adoption of the resolution via the City's website, social media, e-neighbors, and a press release.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to adopt Resolution No. 7491 entitled "A Resolution of the City Council of the City of South Pasadena, California, affirming the City of South Pasadena's commitment to diversity and to safeguarding the civil rights, safety and dignity of *All* of our residents," as amended.

PUBLIC HEARING

17. Second Reading and Adoption by Urgency of an Ordinance to Adopt by Reference and Amend the 2017 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing and Existing Building Codes

Building Official Melicher presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened and closed the Public Hearing, there being no one desiring to speak on this item.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to adopt Ordinance No. 2308 entitled “An Urgency Ordinance of the City Council of the City of South Pasadena, California, making certain findings; repealing Article I of Chapter 9 (In General) of the South Pasadena Municipal Code; adding a new Article I (Code Adoption and Amendments) to Chapter 9; adopting by reference and amending the 2017 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing, and existing Building Codes; and adding a new Article III (Unreinforced Masonry Building Signage Requirements) to Chapter 9.”

18. Adoption of an Urgency Ordinance Amending the South Pasadena Municipal Code Revising the Regulations for Second Dwelling Units (Accessory Dwelling Units)

Senior Planner Mayer presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened the Public Hearing.

Bee Simpson, South Pasadena resident, spoke on her experience dealing with a property owner with a craftsman style home who desired to demolish the residence to construct tract homes; opined that any new homes constructed as a result of Senate Bill 1069 will likely have high rents and will not address impact homelessness; voiced concern that SB 1069 will negatively impact neighborhood character and quality of life; urged the City Council to retain local control regarding second dwelling units.

Michael Favioli, South Pasadena resident, noted that it is the State’s intent to remove barriers against second dwelling units, suggesting that the minimum lot size of 12,500 is excessive; recommended that the City explore possible exemptions for residences that do not exceed the Floor Area Ratio (FAR) limit but do not meet the minimum lot size requirement for a second dwelling unit.

There being no others desiring to speak on this item, Mayor Cacciotti closed the Public Hearing.

In response to City Council inquiry, City Attorney Highsmith advised that SB 1069 does not permit local jurisdictions to require second dwelling units to have a separate utility connection; noted that the City’s prohibition against separating utilities for a second dwelling unit is a mechanism to prevent a future attempt to subdivide the property.

Councilmember Khubesrian voiced support for the proposed ordinance, noting that the lot size requirement for a second dwelling unit could be evaluated during the General Plan update.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to adopt Ordinance No. 2309 entitled “An Urgency Ordinance of the City Council of the City of South Pasadena, California, amending Sections 36.350.200 and 36.700.020 of the South Pasadena Municipal Code relating to accessory dwelling units.”

ACTION/DISCUSSION (CONTINUED)**19. Consideration of the 2017 City Council/Successor Agency Meeting Schedule**

Chief City Clerk Mejia presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened and closed the Public Comment period, there being no one desiring to speak on this item.

During the course of discussion, it was agreed that if Special Meetings are deemed necessary, the preferred dates are March 29 and July 12, 2017.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to cancel the City Council meetings of April 5, July 5, and August 2, 2017.

20. Adoption of a Resolution Approving the Recognized Obligation Payment Schedule for the Period of July 1, 2017 – June 30, 2018

Finance Director Batt presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened and closed the Public Comment period, there being no one desiring to speak on this item.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to adopt Resolution No. 2016-07 SA entitled "A Resolution of the Successor Agency to the Community Redevelopment Agency of the City of South Pasadena, California, adopting a Recognized Obligation Payment Schedule for the period of July 2017 – June 2018."

21. Report on Recent Theft Experienced by the South Pasadena Tournament of Roses Committee and Request by Mayor Mahmud to Consider Allocating Discretionary Funds to Help Offset Losses

City Manager Gonzalez presented the staff report and responded to City Council inquiries.

In response to City Council inquiry, Police Chief Miller advised that police officers have met with the Tournament of Roses Committee (TOR) to offer advice and that additional patrols for the area have been ordered.

Mayor Cacciotti opened and closed the Public Comment period, there being no one desiring to speak on this item.

Councilmember Mahmud requested that City staff work with TOR to identify a secure location to store equipment during the off-season.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to receive and file a report on the recent theft experienced by the South Pasadena Tournament of Roses Committee and consider allocating discretionary funds to help offset the losses.

22. Status Report Regarding the November 2016 Presidential Election

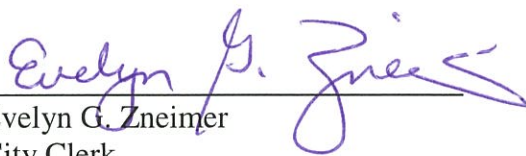
Earlier in the meeting, the City Council reordered this item to be considered immediately after the Consent Calendar. Please refer to Page 240 of these minutes for a summary of the action on this item.

23. Consideration of Adoption of a Resolution Affirming the City's Commitment to be a Welcoming, Inclusive, and Safe Community

Earlier in the meeting, the City Council reordered this item to be considered immediately after the Consent Calendar. Please refer to Page 241 of these minutes for a summary of the action on this item.

ADJOURNMENT

Mayor Cacciotti adjourned the Joint City Council/Redevelopment Successor Agency meeting at 9:45 p.m.



Evelyn G. Zneimer
City Clerk



Michael A. Cacciotti
Mayor

Minutes approved by the South Pasadena City Council on January 4, 2017.